

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CRAIG GABALDON

Plaintiff,

v.

Civ. No. 23-35 JCH/SCY

NEW MEXICO STATE POLICE;
KEVIN SMITH, in his individual
capacity; KURTIS WARD, in his
individual capacity; and JOHN DOES
1 THROUGH 4,

Defendants.

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDATION

THIS MATTER is before the Court on Magistrate Judge Steven C. Yarbrough's May 16, 2023 Proposed Findings And Recommended Disposition ("PFRD"). Doc. 19. In that PFRD, Judge Yarbrough recommends that the Court dismiss without prejudice Defendants John Does 1 through 4. *Id.* Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. *Id.* at 2. The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough's findings and recommendation.

IT IS THEREFORE ORDERED THAT:

1. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition (Doc. 19).
2. Defendants John Does 1 through 4 are DISMISSED WITHOUT PREJUDICE from this action.

3. Given this Order, the Order to Show Cause (Doc. 17) is QUASHED.

IT IS SO ORDERED.



SENIOR UNITED STATES DISTRICT JUDGE